

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

PATRICIA SCHUMAN,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. _____
	)	
INSITUFORM TECHNOLOGIES, INC.,	)	
	)	
Defendant.	)	<b><u>JURY TRIAL DEMANDED</u></b>

**COMPLAINT**

COMES NOW Plaintiff Patricia Schuman (hereinafter "Plaintiff"), by and through her undersigned counsel, and for her causes of action against Insituform Technologies, Inc. (hereinafter "Defendant"), states to the Court as follows:

**JURISDICTION AND VENUE**

1. The Court has subject matter jurisdiction over this controversy under 28 U.S.C. § 1131 as this case presents a federal question.
2. The Court has personal jurisdiction over Plaintiff as she is an individual resident of the Eastern District of Missouri, residing at 1719 Claymont Estates Drive, Chesterfield, Missouri 63017.
3. The Court has personal jurisdiction over Defendant as it is a corporation that conducts, and is duly registered to conduct, business in the State of Missouri at its location at 702 Spirit 40 Park Drive, Chesterfield, Missouri 63005.
4. Venue is proper in this Court because Defendant's place of business is located in the Eastern Division of Eastern District of Missouri within the meaning of 28 U.S.C. § 1391(b)

and (c), and the discriminatory actions at issue herein occurred in the Eastern Division of the Western District of Missouri.

5. Plaintiff asserts this claim pursuant to Section 806 of the Corporate and Criminal Fraud Accountability Act of 2002, codified at 18 U.S.C. § 1514A.

6. Plaintiff filed a complaint against Defendant on January 10, 2005 with the United States Department of Labor, Occupational Safety & Health Administration.

7. Though more than 180 days have passed since Plaintiff filed her Complaint with the Department of Labor, that agency has not yet issued a final decision.

8. Plaintiff informed Defendant and the Department of Labor of her intent to file this action more than fifteen (15) days prior to filing the instant action.

9. Plaintiff has therefore satisfied all private, administrative, and judicial prerequisites to the institution of this claim.

### **COUNT I**

10. Plaintiff hereby incorporates the averments contained in Paragraphs 1 through 9 as though they were restated fully herein.

11. On or about May 7, 2001 Plaintiff began working for Defendant in its Information Technology Services Department as a Programmer Analyst.

12. In September 2004, Plaintiff provided information to Defendant, and/or assisted in an investigation with Defendant, regarding conduct that Plaintiff reasonably believed constituted a violation of 18 U.S.C. §§ 1341, 1343, 1344, or 1348, a rule or regulation of the Securities and Exchange Commission, and/or any provision of Federal law relating to fraud against shareholders (hereinafter “protected activity”).

13. Defendant knew or suspected, actually or constructively, that Plaintiff engaged in protected activity.

14. Defendant terminated Plaintiff's employment on October 12, 2004.

15. The protected activity undertaken by Plaintiff was a contributing factor in Defendant's decision to terminate Plaintiff on October 12, 2004.

16. As a result of Defendant's conduct and actions alleged herein, Plaintiff has suffered damages including, but not limited to, lost wages and benefits.

17. As a result of Defendant's conduct and actions alleged herein, Plaintiff has incurred attorney's fees and costs of litigation, and will continue to incur such fees and costs.

WHEREFORE, Plaintiff prays that this Court, after trial by jury, find in favor of Plaintiff and against Defendant, and enter a judgment against Defendant for all of Plaintiff's compensatory damages supported by the evidence and allowed by law, for her lost wages with interest thereon, for her attorney fees and costs of litigation including expert witness fees, for front pay, and for such further relief as this Court deems just and proper in the premises.

Respectfully submitted,

By 

0

210 E. Broadway, Suite D  
Columbia, MO 65201  
Telephone: 573-875-1991  
Facsimile: 573-875-1985  
**ATTORNEYS FOR PLAINTIFF**